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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Plaintiff,

v.

Matthew Okeke, M.D.,

Defendant.

Case No. 2:23-cv-01861-JAD-BNW

**Stipulation and Order to Extend Discovery
Deadlines**

(Second Request)

Pursuant to LR IA 6-1 and LR 26-3, the parties request a sixty (60) day extension of the remaining discovery deadlines, which is supported by grounds and circumstances set forth below. This is the second request for an extension of the discovery deadlines.

DISCOVERY COMPLETED

The parties have completed the following discovery:

1. Plaintiff made its initial disclosures on March 12, 2024.
2. Plaintiff served its first set of requests for production of documents, first set of interrogatories and first set of requests for admission to Plaintiff on April 25, 2024.
3. Defendant responded to Plaintiff's first requests for admission on May 23, 2024.

DISCOVERY REMAINING

The parties have reached a settlement agreement in principle and continue working on finalizing a settlement in this case. Plaintiff is preparing the settlement agreement and all

1 required documentation.

2 Plaintiff's responses to requests for production, and first set of interrogatories remain
3 to be completed. Expert disclosures remain to be completed. Plaintiff will need to schedule
4 the deposition of Defendant.

5 The parties reserve the right to engage in any other discovery permitted by
6 applicable rules and within the revised discovery deadlines if the court approves this
7 stipulation.

8 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

9 The deadline for expert disclosure has passed. Thus, the parties must show
10 excusable neglect to extend this past deadline. Excusable neglect exists. The parties have
11 been trying to resolve this case since April 2024. Between April and June 2024, the parties
12 have exchanged several settlement offers and counteroffers. The settlement negotiations
13 were paused for short periods of time in May and June, due to Defendant and his counsel
14 being out of the country. The settlement negotiations resumed in July and in the beginning
15 of August, the parties agreed in principle on the settlement conditions. Accordingly, good
16 cause and excusable neglect can be shown to extend this deadline.

17 The parties requested one extension of the discovery deadlines which this Court
18 granted on May 20, 2024. ECF No. 14. The parties have inadvertently missed the deadline
19 to extend their initial expert disclosure deadline. Due to the continuing settlement
20 negotiations discovery attempts were stopped.

21 The parties respectfully request that the remaining discovery deadlines, including
22 the initial expert disclosures, be extended with sixty (60) days to allow them sufficient time
23 to complete the settlement.

24 The parties agree that neither party will be prejudiced by the proposed extension,
25 and that they may be prejudiced should the current schedule remain in place. The parties
26 agree the extension is sought in good faith.

27 **EXTENSION OF THE DISCOVERY PLAN AND SCHEDULING ORDER**

28 The following table sets forth the current deadlines and the proposed sixty (60) day

extension of discovery deadlines that are the subject of this stipulated request:

SCHEDULED EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Initial Expert Disclosure	July 29, 2024	September 27, 2024
Rebuttal Expert Report(s)	August 30, 2024	October 29, 2024
Discovery Cutoff	September 27, 2024	November 26, 2024
Dispositive Motions	October 28, 2024	December 27, 2024
Proposed Joint Pretrial Order	November 26, 2024	January 27, 2025¹

This request for an extension of time is not sought for any improper purpose including delay. This is the second request for an extension of discovery deadlines in this matter.

Respectfully submitted this 29th day of August 2024.

LAW OFFICES OF LIBO
AGWARA, LTD

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IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: 8/30/2024

¹ However, if dispositive motions were to be filed, the deadline for the Proposed Joint Pretrial Order would be deferred until 30 days after the Court rules on the dispositive motions.